

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan With a Rate Increase and End of Rate Freeze Tariffs.	Application 00-11-038 (Filed November 16, 2000)
Emergency Application of Pacific Gas and Electric Company to Adopt a Rate Stabilization Plan (U 39 E).	Application 00-11-056 (Filed November 22, 2000)
Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527.	Application 00-10-028 (Filed October 17, 2000)

**CHIEF ADMINISTRATIVE LAW JUDGE’S RULING RE APPLICABILITY OF
PUBLIC UTILITIES CODE SECTION 1731(c) TO DECISION 04-01-028**

On January 12, 2004, the Commission issued Decision (D.) 04-01-028, its “Order Implementing An Interim Allocation of the 2004 Revenue Requirement Determination of the California Department of Water Resources and Truing Up the 2001-2002 Revenue Requirement Determination of the California Department of Water Resources.” This Commission order “construes, applies or implements the provisions of Chapter 4 of the Statutes of 2001-02 First Extraordinary Session” and accordingly parties who wish to apply for rehearing of this order must do so within the statutorily mandated 10-day time line set forth in Pub. Util. Code § 1731(c). Such applications for rehearing of D.04-01-028 are due on January 22, 2004.

Section 1731(c) also requires the Commission to “issue its decision and order on rehearing within 20 days after the filing of that application.” In order to meet this requirement, the Commission must consider any applications for rehearing at its regularly scheduled meeting on February 11, 2004.

Under Rule 86.2 of the Commission’s Rules of Practice and Procedure (Rules), a response to an application for rehearing may be filed no later than 15 days after the day the application for rehearing is filed, February 6 in this case. Given the expedited schedule set forth in Pub. Util. Code § 1731(c), and the Commission’s need for sufficient time to fully consider responses to any applications for rehearing that may be filed, the time for filing responses must be shortened. Although the Commission is not obligated to withhold a decision on an application for rehearing to allow time for a response to be filed,¹ the time for filing a response to any application for rehearing will be shortened to February 2, 2004, to allow for adequate consideration of such responses.

Any applications for rehearing filed under Pub. Util. Code § 1731(c) and any responses filed under Rule 86.2 shall be served by electronic mail on those parties who have provided an e-mail address, and by first class mail or other expeditious mode of delivery to those who have not provided an e-mail address. In addition, any responses shall also be electronically served on the following Commission staff: Mary McKenzie (mfm@cpuc.ca.gov).

¹ See Rule 86.2 of the Commission’s Rules of Practice and Procedure.

IT IS RULED that:

1. Applications for rehearing of Decision (D.) 04-01-028 are due for filing within ten days after the date of issuance (January 12, 2004) of that decision. Service shall be consistent with the provisions of this ruling.

2. The time for filing a response to any applications for rehearing of D.04-01-028 that may be filed is hereby shortened, and such responses are due on or before February 2, 2004. Service shall be consistent with the provisions of this ruling.

Dated January 16, 2004, at San Francisco, California.

/s/ ANGELA K. MINKIN

Angela K. Minkin
Chief Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Chief Administrative Law Judge's Ruling Re Applicability of Public Utilities Code Section 1731(c) to Decision 04-01-028 on all parties of record in this proceeding or their attorneys of record.

Dated January 16, 2004, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.